

Congress of the United States

House of Representatives

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FCC Mailroom

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Pai,

I am writing regarding the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking entitled, "Unlicensed Use of the 6GHz Band; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24GHz".¹ While I support the advancement of 5G technology, I am concerned that opening the 6GHz band to unlicensed users will threaten communications technology that is critical to the safe operation of offshore oil and gas exploration and production in the Gulf of Mexico. That is why I urge you to work with all incumbent users in the Gulf of Mexico to ensure there is no threat of interference before issuing the final rule and, in doing so, consider granting an exclusion zone for areas it may impact.

Since the release of this proposed rule, I have heard concerns from utility companies that this expansion could significantly interfere with communications technology in the Gulf of Mexico. A company headquartered in my district, RigNet, provides managed communications services to approximately one-third of the oil rigs in the world, many of them in the Gulf of Mexico. RigNet also operates the only 6GHz backbone network for communications from the Gulf to the shore. If that network is interrupted, thousands of lives could be endangered, and the environment placed at significant risk.

In its proposed rulemaking, the FCC acknowledged that there could be interference to licensed users, like RigNet in the Gulf of Mexico, from unlicensed use of 6 GHz. In fact, an independent analysis conducted by Robertson and Associates, LLC, found that interference caused by indoor unlicensed devices in the vicinity of these point-to-point receivers could exceed minimum allowed interference by approximately 5,000 to 250,000 times. The report states, "these extremely high levels of interference render the links inoperable and sever the [Real Time Monitoring] RTM service, mission critical, and 9-1-1 communications for oil and gas production platforms in the Gulf."

To solve this problem, the FCC has proposed the use of a new Automatic Frequency Coordination (AFC) system that would identify frequencies that unlicensed devices could safely utilize without interfering with incumbent users. I am concerned, however, about reports that an AFC system has not been designed to take into account the reflective characteristics of gulf

¹ Federal Communications Commission. "FCC Proposes More Spectrum for Unlicensed Use." October 24, 2018. <https://www.fcc.gov/document/fcc-proposes-more-spectrum-unlicensed-use-0>

waters or properly tested for effectiveness. The failure or even the underperformance of the AFC function could have dire consequences.

When there are emergencies offshore, interference in communication can be catastrophic. Given the likelihood that the use of unlicensed 6Ghz devices in the Gulf will disrupt offshore drilling communications, it seems appropriate that the FCC would consider granting an exclusion zone for beach crossings and over-water areas in the Gulf, where relatively few consumers will be affected. Historically, both the FCC and National Telecommunications and Information Administration (NTIA) have used exclusion zones to protect vital communications, such as certain exclusion zones in 3.5 GHz to protect national defense and military radar operations.²

Additionally, in finalizing FCC-18-147, I request answers to the following questions:

1. Are reports that there is no thoroughly tested AFC system accurate?
2. Will the FCC delay implementation of the rules until the AFC function has been proven effective in ensuring there will be no disruption to critical communications, public safety communications, or 9-1-1?
3. Does your proposed rule take special precautions to avoid harmful interference to critical communications over water?
4. What cost-benefit analysis has been performed on the Gulf of Mexico regarding the proposed rules?
5. What would be the impact of exempting the Gulf of Mexico from the unlicensed use of the U-NII-5 and U-NII-7 bands?
6. Have any technological studies been conducted that refute the findings of the Fixed Wireless Communications Ex Parte of October 2, 2018 or the Roberson & Associates analysis that was submitted to the FCC by RigNet on July 11, 2019?

Thank you for your attention to these matters. I look forward to hearing from you. Should your staff have any questions, Anne-Marie Boisseau in my office may be reached at 202-225-2571 with any questions.

Sincerely,



² Ronald E. Quirk, Jr., "Reader Forum: FCC Spectrum Rules Create Business Opportunities," *RCR Wireless News*, September 22, 2015, accessed here: <https://www.rcrwireless.com/20150922/opinion/reader-forum-fcc-spectrum-rules-create-business-opportunities-tag10>